

09126312100

Filing Date
October 23, 2000

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No. Filing Date

09/409,316

Status (patented, pending, abandoned)


Pending -- filed September 28, 1999

Address all correspondence and telephone calls to the following:

Brian W. Peterman
O'KEEFE, EGAN & PETERMAN, LLP
1101 Capital of Texas Highway South
Building C, Suite 200
Austin, TX 78746
(512) 347-1611
(512) 347-1615 (Fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: C. Todd Praisner


Inventor's Signature  11/16/00
Date

Residence: USA

Citizenship: USA

Post Office Address: 74 St. Stephens School Rd. Austin TX 78746
(enter "same" if mailing address is same as residence address)

Full name of second joint inventor: Roy H. Kipp, Jr.

Inventor's Signature  11/16/00
Date

Residence: USA

Citizenship: USA

Post Office Address: 16322 Spotted Eagle Drive, Leander, TX 78641
(enter "same" if mailing address is same as residence address)

Full name of third joint inventor: Melissa T. Balbach

Inventor's Signature

[Signature]

11.16.00
Date

Residence: USA

Citizenship: USA

Post Office Address: 1117 W. 7th St. Austin, TX 78703
(enter "same" if mailing address is same as residence address)

Full name of fourth joint inventor: James R. Holland, IV

Inventor's Signature

[Signature]

11/14/00
Date

Residence: USA

Citizenship: USA

Post Office Address: 11327 Alhambra, Austin, TX 78759
(enter "same" if mailing address is same as residence address)

Full name of fifth joint inventor: William R. Leiserowitz

Inventor's Signature

[Signature]

11/16/00
Date

Residence: 11019 Galleria Cove, Austin, TX 78759

Citizenship: US

Post Office Address: Same
(enter "same" if mailing address is same as residence address)

0971728.112100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: C. TODD PRAISNER, et al.
Filed: CONCURRENTLY HEREWITH
For: SYSTEM AND METHOD FOR PURCHASING MANAGEMENT
UTILIZING DYNAMIC PAYMENT CARDS AND DYNAMIC APPROVAL
PARAMETERS
Serial No.: UNKNOWN
Group Art Unit: UNKNOWN
Examiner: UNKNOWN
Atty Dkt: WRKS:002

| | |
|---|--------------------------|
| EXPRESS MAIL CERTIFICATION | |
| NUMBER: <u>EL 70372002845</u> | |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service, postage prepaid, under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231. | |
| <u>Nov. 21, 2009</u> Date | <u>Kim Miner</u> Name |

Assistant Commissioner For Patents
Washington, D.C. 20231

**ELECTION UNDER 37 C.F.R. §§3.71 AND 3.73
AND POWER OF ATTORNEY**

Sir:

The undersigned being Assignee of record of the entire interest in the above-identified application by virtue of an assignment that has been filed in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventor. A statement under 37 C.F.R. 3.73(b) is also included below.

The Assignee hereby revokes any previous Powers of Attorney and appoints Robert M. O'Keefe, Reg. No. 35,630; Richard D. Egan, Reg. No. 36,788; Brian W. Peterman, Reg. No. 37,908, William W. Enders, Reg. No. 41,735, and Maximilian R. Peterson, Reg. No. 46,469, each an attorney of the firm of O'KEEFE, EGAN & PETERMAN, LLP, as its attorney for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

09717728-112100

Pursuant to 37 C.F.R. §3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Works.com Operating Company, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Pursuant to 37 C.F.R. §3.73(b), Works.com Operating Company, a Delaware corporation, states that it is the assignee of the entire, right, and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above. The assignment has been filed in the United States Patent and Trademark Office as set forth below.

Please direct all communications as follows:

Brian W. Peterman
O'KEEFE, EGAN & PETERMAN, LLP
1101 Capital of Texas Highway South
Building C, Suite 200
Austin, Texas 78746
512/347-1611
FAX 512/347-1615

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

ASSIGNEE:

Works.com Operating Company

By: 
Name: Roy H. Kipp, Jr.
Title: Chief Technical Officer

Date: 11/16/00

ASSIGNMENT:

- ☒ Filed concurrently herewith (copy enclosed)
☐ Previously filed _____ (copy enclosed)
☐ Previously recorded
Date: _____
Reel: _____
Frame: _____

09717728-112100

COPY

FILE NO. WRKS:002
PATENT

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do hereby:

SELL, ASSIGN AND TRANSFER to Works.com Operating Company (the "Assignee"), being incorporated under the laws of the State of Delaware, and having a place of business at 6801 N. Capital of Texas Hwy., Building 1, Austin, TX 78731-1716, the entire right, title and interest for the United States and all foreign countries in and to any and all improvement which are disclosed in the application for United States Letters Patent, which is being filed concurrently herewith, and the United States Provisional Patent Application filed October 23, 2000, Serial Number 60/242,493, both of which are entitled "SYSTEM AND METHOD FOR PURCHASING MANAGEMENT UTILIZING DYNAMIC PAYMENT CARDS AND DYNAMIC APPROVAL PARAMETERS," such applications and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature): C. Todd Praisner Date: 11/16/00

State of Texas)
County of TRAVIS)

BEFORE ME, the undersigned authority, on this 16 day of November, 2000 personally appeared C. Todd Praisner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Nanette Gae West
Notary or Consular Officer

[SEAL]

(Signature): Roy H. Kipp, Jr.
Roy H. Kipp, Jr.

Date: 11/18/00

State of Texas)

County of TRAVIS)

BEFORE ME, the undersigned authority, on this 16 day of November, 2000 personally appeared Roy H. Kipp, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Naxette Gae West
Notary or Consular Officer

[SEAL]

(Signature): Melissa T. Balbach
Melissa T. Balbach

Date: 11.16.00

State of Texas)

County of TRAVIS)

BEFORE ME, the undersigned authority, on this 16 day of November, 2000 personally appeared Melissa T. Balbach, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Naxette Gae West
Notary or Consular Officer

[SEAL]

(Signature): James R. Holland, IV
James R. Holland, IV

Date: 11/14/00

State of Texas)

County of TRAVIS)

BEFORE ME, the undersigned authority, on this 16 day of November, 2000 personally appeared James R. Holland, IV, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Naxette Gae West
Notary or Consular Officer

[SEAL]

(Signature): William R. Leiserowitz Date: 11/16/00
William R. Leiserowitz

State of Texas)

County of Travis)

BEFORE ME, the undersigned authority, on this 16 day of November, 2000 personally appeared William R. Leiserowitz, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Nanette Jay West
Notary or Consular Officer

[SEAL]

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) – SMALL BUSINESS CONCERN

DOCKET NO.
WRKS:002

Applicant or Patentee: C. TODD PRAISNER, et al.

Application No.: UNKNOWN

Title: SYSTEM AND METHOD FOR PURCHASING MANAGEMENT UTILIZING
DYNAMIC PAYMENT CARDS AND DYNAMIC APPROVAL
PARAMETERS

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN:
ADDRESS OF SMALL BUSINESS CONCERN:

Works.com Operating Company
6801 N. Capital of Texas Hwy.
Building 1
Austin, TX 78731-1716

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to

their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below:

Separate verified statement is required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:


Roy H. Kipp, Jr.

TITLE OF PERSON IF OTHER THAN OWNER:

Chief Technical Officer

ADDRESS OF PERSON SIGNING:

Works.com Operating Company
6801 N. Capital of Texas Hwy.
Building 1
Austin, TX 78731-1716

SIGNATURE:  DATE: 11/16/00